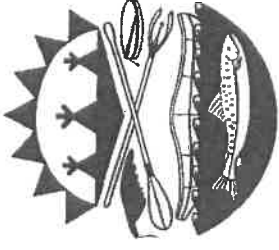


# Listuguj Mi'gmaq Government Order-In-Council



Chronological no.:	2667	Subject: Approval of Listuguj Fisheries Fund Trust Agreement and Trustee First Nations Bank	Originated by:
The Council of the	Listuguj Mi'gmaq Government	District	Gespe'gewa'gi
Date of duly convened meeting	D   M   Y 0   8   0   9   2   1	Province	Gepeg

WHEREAS:

- 1) On April 16, 2021, Chief Darcy Gray, on behalf of the Council of Listuguj, signed the "Rights Reconciliation Agreement On Fisheries" (hereinafter "RRA") with the Department of Fisheries and Oceans (hereinafter "DFO").
- 2) On May 11, 2021, pursuant to the RRA, the "Reconciliation Funding Agreement, An Agreement To Fund A Trust For Obtaining Fishing Access, Fishing Vessels and Fishing Gear" (hereinafter "RFA"), was signed by the LMG.
- 3) A primary requirement of the RRA and the RFA is that the funds provided by DFO be placed in a Trust with the Listuguj Mi'gmaq Government (hereinafter "LMG"), as both settlor and beneficiary on a collective and undivided basis.
- 4) DFO will transfer the funds under the RFA to the Trust only once the Trust is established.
- 5) It is in the LMG's interest to obtain the funds as soon as possible; that is, time is of the essence.
- 6) T.E. Investment Counsel facilitated a process for the request for, and evaluation of, proposals from potential trustees, with the participation of the Executive Office and Directors of Finance and Natural Resources, and First Nation Bank Trust (hereinafter "FNB Trust") was chosen to be the Trustee of the Listuguj Fisheries Fund Trust.
- 7) Pursuant to the requirement that the funds provided by DFO be placed in a Trust, the Executive Office, in cooperation with the LMG's Directors of Finance and Natural Resources, legal counsel (Dionne Schuize Attorneys), DFO, financial advisor (T.E. Investment Counsel Inc.) and FNB Trust, have produced a draft trust agreement, "Listuguj Fisheries Fund Trust", that meets the requirements of LMG, DFO, and FNB Trust.
- 8) A fee agreement for trust services for the Listuguj Fisheries Fund Trust was negotiated with FNB Trust by the Executive Office in cooperation with the Director of Finance.

THEREFORE BE IT RESOLVED:

- 1) Chief and Council hereby authorize the CEO Alexander Kocsis to execute the Listuguj Fisheries Fund Trust agreement with First Nations Bank Trust immediately; and
- 2) Chief and Council hereby authorize and mandate the CEO to execute the fee agreement with FNB Trust.

Moved: Sky Metallic  
 Seconded: Ali Barnaby  
 Abstain: -  
 Opposed: -  
 Status:  Passed  Defeated  Tabled

Quorum 7

Chief Darcy Gray

Councillor Ali Barnaby  
 Annette Barnaby  
 Councillor Annette Barnaby

Councillor Gordon Jr. Isaac

Councillor Dr. Cathy Martin

Councillor Brian Jr. Caplin  
 Chloé Gedeon  
 Councillor Chloé Gedeon

Councillor George Whelan

Councillor Sky Metallic

Councillor Wendell Metallic

Councillor Kevin Mehot

Councillor Alexandra Morrison  
 Sheila Singson  
 Councillor Sheila Singson

Mi'gmaq Nation